

Robert Heilman,)	
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
Work Force Safety, Bismarck, ND,)	
and Jane Demarass Seaworth,)	
Administrative Law Judge,)	Case no. 4:12-cv-066
)	
Defendants.)	

On August 9, 2012, the court received the following from Heilman: (1) a letter outlining in greater detail the relief Heilman is seeking; (1) a letter from an acquaintance of Heilman who expresses concern about Heilman's health; and (3) an excerpt from a Social Security Administration

Work Activity Questionnaire.

The court appreciates that Heilman is proceeding *pro se*. However, the fact remains that his claim is devoid of any mention of either federal law or the constitution. Further, to the extent that the complaint may be construed as a request for money damages from the state, the Eleventh Amendment precludes this court from imposing such an award against the state or one of its agencies. See Hopkins v. Saunders, 93 F.3d 522, 526 (8th Cir. 1996) (“The Eleventh Amendment prohibits a citizen from suing a state for money damages in federal court.”); see also Graves v. Stone, 25 Fed. App’x 488 (8th Cir. 2002) (recognizing that the Eleventh Amendment bars suits brought in federal court by an individual against a state or its agencies). Consequently, Heilman’s complaint is **DISMISSED** without prejudice.

IT IS SO ORDERED.

Dated this 21st day of August, 2012.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge